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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,641	11/29/2001	Heino Wendelrup	032927-026	1652

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EXAMINER

ELCENKO, ERIC J

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/995,641	WENDEL RUP, HEINO	
	Examiner	Art Unit	
	Eric Elcenko	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4,7-8, and 10-18,20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Thro et al. (U.S. Pat. No. 6,037,991)

Thro et al. teaches a "Method and Apparatus for Communicating Video Information in a Communication System." In regards to Claims 1, 4 and 10, Thro et al. discloses FIG. 2 illustrates a block diagram depiction of a mobile communication device (e.g., 101) in accordance with a preferred embodiment of the present invention. The mobile communication device 101 includes an analog-to-digital converter (A/D) 201, a video compressor 203, a memory device 205, an RF modem 207, and a wireline interface 209. The A/D 201, which preferably comprises either an eight bit per pixel

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converter for monochrome images or a 24 bit per pixel converter for color images, communicates information between the video device or devices and the video compressor 203.

In regard to Claims 12 and 13, the video compressor 203 preferably includes buffering memory to store the digitized video images together with means, such as digital signal processors (DSPs) executing software code or large scale integrated (LSI) circuits, for compressing digitized video information into a format suitable for transmission over a radio communication resource.

In regard to Claim 16, the video compressor 203 compresses digitized video information into a known Moving Pictures Experts Group (MPEG) format, such as MPEG 4. The memory device 205 preferably comprises random access memory for storing a computer program and a microprocessor to execute the stored computer program.

In regard to Claims 2, 11 and 17 the RF modem 207 preferably comprises means, such as an analog, digital, or software-based DSP modulation circuit, for modulating a compressed video signal into an RF transmission format, such as FDMA, TDMA, or CDMA. (Col 8, Ln 32-35)

In regard to Claim 3, the RF modem 207 also includes means, such as an analog, digital, or software-based DSP demodulation circuit, for demodulating a received RF signal into a compressed video format, such as any one of the known MPEG formats. (Col 8, Ln 37-40)

In regard to Claims 7, 18 and 20, the wire line interface 209 is a well-known user interface, such as the known National Television Standards Committee (NTSC) format. (Col 8, Ln 43-44)

In regard to Claims 14 and 15, upon receiving analog video information 210 from a video device (e.g., in the NTSC format), the A/D 201 converts the received analog information into digitized video information 211 and provides the digitized video information 211 to the video compressor 203. The video compressor 203 compresses the digitized video information 211 into a desired transmission format, such as MPEG 4, and provides the compressed video 213 to the RF modem 207 at a desired transmission frame rate. (Col 8, Ln 44-49)

In regard to Claims 8 and 21, the communication devices 101-105 comprise any type of two way communication device, which includes 2-way radio devices but not disclude mobile telephones. (Col 2, Ln 61-68)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thro et al. (U.S. Pat. No. 6,037,991) in view of Kim et al. (U.S. Pub. No. 2005/0085263)

Thro et al. does not disclose 3 signals.

Kim et al. discloses signals coming from the communication portion of the circuit are input to a DAC 41 which converts the digital RGB signals to analog signals and the encoder 42 which encodes the analog R,G,B signal to an NTSC or PAL signal. (Para 40)

It would have been obvious to one of ordinary skill in the art to modify Thro et al. to include the 3 analog signals in order to have a clearer signal and higher quality video to be displayed.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thro et al. (U.S. Pat. No. 6,037,991) in view of Konishi (U.S. Pat. No. 6,915,119)

Thro does not disclose Bluetooth technology being implemented.

Konishi discloses the wireless communicating device 14 uses a light such as an electric wave, a supersonic wave and an infrared light. In the case of the electronic wave the wireless communicating device 14 may use the Bluetooth (Col 2-3, Lns 65-68 to 1-3)

It would have been obvious to one of ordinary skill in the art to modify Thro et al. to include the Bluetooth interface and the analog signals to be transferred to an external apparatus as taught by Konishi in order to be able to store images or characters on a communications servers or to share images with others in a network.

Response to Arguments

7. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,073,034 to Jacobsen et al.


U.S. Pat. No. 6,754,468 to Sieben et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Elcenko whose telephone number is (571) 272-8066. The examiner can normally be reached on M-F 7:30 AM through 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ee


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